

Application no. 09/587,236  
Amendment dated: June 10, 2005  
Reply to office action dated: March 10, 2005

### REMARKS

Claims 1-2, 4-10, 12-16, 17, 18, 20-21, 23-24 and 29-30 are pending in the application. By this paper, claims 1, 9, 14, 21, 23 and 30 have been amended. Reconsideration and allowance of the application in light of the amendments herein is respectfully requested.

Claims 1-2, 4-10, 12-16, 17, 18, 20-21, 24 and 29-30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent number 5,796,952 to Davis, et al. ("Davis"). Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurzke in view of Davis. Reconsideration of these rejections is respectfully requested.

Independent claim 1 has been amended to distinguish the invention defined by this claim over the cited reference. In general, claim 1 has been amended to recite the real time nature of operation of the present system. Specifically, claim 1 has been amended to recite a client component which generates "usage data during usage of said client device," and a server component which receives "said usage data from said client device during usage of said client device." Support for this amendment is found throughout the specification, for example, at page 17, lines 19-20 and page 139, line 21 through page 140, line 20.

In contrast, Davis discloses sending information about a user's interaction with and use of a file down loaded from a server after monitoring such interaction and use. Column 4, lines 56-63. "The information may be sent before or as the client exits the file, or may be sent in response to a predetermined user action." Column 4, lines 59-63. The Davis system does not provide real-time usage reporting.

Moreover, claim 1 has been amended to recite that the server component constructs "an in-memory model of said usage of said client device while the usage continues, the server component further storing said usage data in a relational store." This feature, of both a version of usage data stored in active memory on the server and a version of the usage data in a relational store such as a relational database is also completely absent from Davis. This unique feature provides an important advantage: "Just as the in-memory session information is updated in real-time, so is the relational database. This is done so that all reporting functionality of the

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NetEchoes™ server can run reports of the relational database and still reflect real-time producer site statistics." Page 140, lines 17-20. Further,

Handling the session in-memory by active objects enables a variety of capabilities:

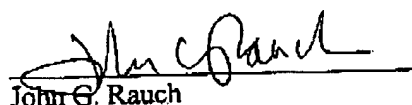
- The information can be used to give real-time analysis of how the sited *[sic]* is being used
- the information can be taken advantage of by personalization engines to dynamically modify and target the content transmitted.

Accordingly, the present invention defined by the pending claims provides a system and method including features missing from the cited references. These features permit the real-time monitoring at a server of user interaction on a client device remote from the server. In addition to real-time monitoring, these features permit additional processing such as reporting to occur even while the usage of the client device continues.

While the distinctions and features are described in detail here in connection with claim 1, the other independent claims have been similarly amended and are submitted to be allowable for the same reasons. Accordingly, withdrawal of the rejections of claims 1-2, 4-10, 12-16, 17, 18, 20-21, 23-24 and 29-30 is respectfully requested.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



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